

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at GREENEVILLE

JOHNNY KAY SEALS

v.

HAWKINS COUNTY SHERIFF  
ROGER CHRISTIAN and BRAD  
WILMOUTH

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NO. 2:09-CV-175  
*Jordan/Inman*

**MEMORANDUM**


This *pro se* civil rights complaint under 42 U.S.C. § 1983 was filed by a prisoner in the Hawkins County jail in Rogersville, Tennessee. On January 26, 2011, the Court entered an order, directing the Clerk to send plaintiff two service packets and ordering him to complete and return the packets to the Court within twenty (20) days. [Doc. 4]. Plaintiff was also forewarned that, if he failed to comply with the order in a timely fashion, his lawsuit would be jeopardized. [*Id.*].

Almost six months have passed and plaintiff has failed to return the service packets or otherwise respond to the order.

From plaintiff's inaction in this matter, the Court concludes that he no longer wishes to pursue this litigation and, therefore, will **DISMISS** this case by a separate order for his failure to prosecute and to comply with the orders of the Court. Fed. R. Civ. P. 41(b).

Lastly, the Court **FINDS** that any appeal from this decision would not be taken in good faith and, accordingly, will also **DENY** plaintiff leave to proceed *in forma pauperis* on appeal. 28 U.S.C. § 1915(a)(3).

**ENTER:**

  
LEON JORDAN  
UNITED STATES DISTRICT JUDGE